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Swale Borough Local Plan (October 2021) Issues and Preferred Options (Regulation 18)

Representation Form

This form should be used for providing comments (or 'representations') on the Swale Borough Local Plan Issues and Preferred Options (Reg 18). Representations must be received no later than **5pm** on **Monday 29th November 2021**. Only those representations received within this period will be considered.

The form can be submitted by email to Lpcomments@swale.gov.uk or by post to Planning Policy, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT. Comments can also be submitted online using the consultation portal at <https://swale-consult.objective.co.uk/kse>.

For further information please go to: <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation#h2>

Please note:

1. It is recommended that groups that share a common view send a single representation rather than multiple copies. Please attach a list of the contact details of each person who supports the representation.
2. By completing this form, you agree to your details being shared with other relevant agencies involved in the preparation of the local plan. In addition, your name, name of organisation, comments and town of residence **will** be made publicly available. These representations cannot be treated as confidential. Please read and sign the declaration at the end of this form.

Section 1: Your details

	1. Personal details	2. Agent details (if applicable)
Title		
Name		
Organisation / group		
Address 1		
Address 2		
Address 3		
Address 4		
Post Code		
Telephone number		
Email address		

If you are replying on behalf of a group (where applicable under point 1 above), how many people does it represent?



Swale Borough Local Plan

Regulation 18 Issues and Preferred Options Consultation

November 2021

1. Introduction

1.1 Cerda Planning has been instructed by Rodmersham, Milstead and Bredgar Parish Councils to prepare and submit these representations to the Swale Borough Local Plan (Regulation 18) Consultation.

1.2 These representations are made in the context of the requirement for Local Plans to be legally compliant and sound. The tests of soundness are set out at paragraph 35 of the Framework. In brief, a plan will be sound if it is:

- Positively prepared;
- Justified;
- Effective; and
- Consistent with national policy

1.3 These representations support the draft plan's soundness. More specifically the preferred spatial strategy for development within the Borough. These representations do raise some concerns in respect of the plan but these concerns relate primarily to the inappropriateness of the considered option for development that proposed to focus development requirements on Strategic Development Sites and/or urban extensions located within rural areas. In particular the proposed development at South East Sittingbourne (Highsted Park) currently the subject of two outline planning applications references 21/503914/EIOUT and 21/503906/EIOUT. We would also refer you to the detailed objections submitted by Cerda to these applications.

1.4 In terms of format, this representation is split according to the sections within the consultation document.

2. What has influenced the development of the Local Plan

Question 1 - National Planning Policy and Guidance:

How do you think the Local Plan should be amended to address the NPPF requirement for Local Plans to set larger scale developments within a 30 year vision?

- 2.1 Whilst in general the justification for extending the plan period to 30 years seem reasonable only if the delivery of housing depends on the delivery of large scale development that would be delivering housing up to and over this period.
- 2.2 In the case of Swale however, as we agree with the approach that the Council are proposing as their Preferred Option for development within the Borough it is not considered necessary to adopt this approach given in our opinion the larger scale developments would and should not be a feature of development in Swale. It is imperative that the vision and strategy for Swale however long should maintain its predominantly rural character and ensure that the needs of these rural areas is at the forefront of planning for the area.
- 2.3 What is unclear is whether the intention of the requirement would be to extend policies within the local plan for at least 30 years or does the plan as a whole need to demonstrate how its housing need in total will be accommodated over the next 30 years. It is also unclear as to what constitutes 'larger scale development' – is this solely in relation to new settlements or does it include other large developments? Without clear guidance from the Government on when this is necessary and as such it is considered that explicit advice is obtained from MHCLG to ensure that the plan is robust prior to formal submission.

Question 2 - Environmental Impacts:

Do you have any comments on the interim Sustainability Appraisal? Please explain the reasons for your comments. Do you think any changes to the interim Sustainability Appraisal are necessary? If so, please set out these changes and the reasons why you think they are needed.

- 2.4 We are generally supportive of the Interim Sustainability Appraisal and support its overall assessments and conclusion.

- 2.5 However, we feel that it is important that the identified negative impacts in respect of Option 5 in particular the Strategic Development Site (SDS) identified as South East Sittingbourne (Highsted Park) are highlighted given the scale of this development in comparison to the other sites.
- 2.6 This is particularly important given the comparatively positive scoring for Option 5, with the exception of Highsted Park.
- 2.7 One shortcoming or change to the Sustainability Appraisal is considered necessary relates to the scoring impact of considering each of the 4 SDS sites as one option. It is considered that grouping all of the SDS sites within one of the growth options obviously leads to skewed results given that the scoring of the 4 separate sites considered are never likely to align and given the scoring needs to reflect the results of each option rather than site, caution should be drawn to the scores for each option. This is particularly notable in the following sections: Biodiversity, Heritage, Housing and Landscape.
- 2.8 Biodiversity; Highsted Park is considered to be the most constrained of the SDS options in terms of impacts on biodiversity. This is as a result of the focus of development within the highly constrained Highsted / Rodmersham Green area. As an application for the development has now been submitted we are more acutely aware of the actual predicted impacts of the development. Development at The proposed development includes the direct loss of parts and impact upon Local Wildlife Sites (Highsted Quarries and Cromers Wood) and Ancient Woodland (Highsted Wood and Bex Wood) as a consequence of the proposed highway alignment, industrial and housing development. The Local Wildlife Sites are important local habitats supporting a multitude of species and the Ancient Woodland is as acknowledged in the NPPF and irreplaceable habitat. It is inescapable that the proposed development and its associated link roads would have a significant effect on the links between these sites and the movement corridors for a number of protected species. The 'Swale Biodiversity Baseline Report in Preparation for Requirements of the Environment Bill' prepared by Kent Wildlife Trust Consultancy Services provides a high-level indication of the constrains that developing this site would have.
- 2.9 A key point here is that there are no wholly exceptional reasons to allow development to affect these natural resources - these impacts can be avoided though alternative options within the plan or indeed other options within Option 5 itself.
- 2.10 Heritage: Noting that Option 5 received the highest 1 star score it is important that the significant heritage constraints of Highsted Park are highlighted.

- 2.11 Highsted Park stands out as most constrained option under Option 5. Unlike the other SDS options the development would be in close proximity (and the setting of) a wide range of existing heritage assets. The current proposed masterplan seeks to take a 'landscape led approach' and avoid impacts on the historic environment as far as possible. However, due to the highly constrained nature of this part of the Borough this is simply not possible. The development would impact on the setting of the Rodmersham Green Conservation Area and directly on the Tongue Conservation Area, where a new link road would cut through the area. The impact on listed buildings are wide ranging including the hamlet of Rodmersham, where there is a cluster of four listed buildings including a Grade 1 listed church, which the Swale Landscape Sensitivity Assessment (2019) describes as "an important local landmark and skyline feature". The further statement made by the Assessment, as part of a discussion of 'time depth', is also of note: "It is evident that there have been changes in land cover in recent years, with the conversion of areas of commercial orchards to arable, and vice versa, for example along Church Street and Pitstock Road. However, this does not change the fundamental character of the landscape. The loss of some areas of traditionally managed orchards has adversely affected the historic and scenic character of the landscape, although more intensive commercial orchards remain an important feature which contributes to a distinctive sense of place".
- 2.12 The SA conclusion on this point notes that the conclusions which scores Option 5 highly is subject to the views of Historic England and we would draw your attention to the published comments received from Historic England in response to the two current planning applications for Highsted Park provided under references 21/503914/EIOUT & 21/503906/EIOUT.
- 2.13 Housing: The conclusions drawn in the Housing section for Option 5 are significant and need to be given the weight they deserve in this assessment. The proposals for Highsted Park to deliver only 20% affordable dwellings is not reflective of the requirements of the local plan, which within a rural area should see the delivery of 40% of the homes as affordable, a policy required in order to deliver the affordable homes needed in the Borough and a requirement matched by other SDS sites.
- 2.14 With any SDS there is always a risk that the delivery of new homes will not happen or will be substantially delayed. Highsted Park is quite rightly highlighted as being at the highest risk. The SA quotes from previous work known as the Stantec Report that the Highsted Park site:

‘... remains the highest risk due to the timing, delivery and cost of the new junction 5A which all have implications on the viability and mean it can only deliver 20% affordable housing.’

- 2.15 The need and justification for the new junction to the M2 remains questionable, with the benefits to the area as a result of a new junction beyond merely facilitating the development at Highsted Park unjustified and unnecessary. This is especially true especially given the harms associated with the development. With doubts over the wider benefits that would ensue as a result of the main infrastructure required to support Highsted Park and the reduction in the delivery of affordable homes as a consequence of the required infrastructure there are more affordable and sustainable options for growth in the Borough. This is noting that the site would deliver only 50% (proportionally) of the numbers delivered on the other SDS sites all of which propose a policy compliant 40%. This adds to our conclusion that Highsted Park is inherently unsustainable.
- 2.16 Landscape: Whilst Option 5 again scores the highest 1 starred rating i.e. as the most favourable option attention need to be drawn to the actual impact of the Highsted Park development in landscape terms. That is that development here would impact on 4 key sensitive areas necessary to consider when assessing landscape harm. These relate to the impact on the AONB (including its setting), Important Local Countryside Gaps, the Rodmersham, Milstead and Highsted Dry Valley locally designated landscape, and the fact that the Councils Landscape Sensitivity Assessment considers that the landscape parcels affected by the development have a moderate-high and high sensitivity. This is especially true for the Important Local Countryside Gaps which provide the separation between Sittingbourne and its surrounding villages including Bapchild, Bredgar, Milstead, Rodmersham and Rodmersham Green and Bredgar.
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3. Characteristics of the borough and the key challenges to be addressed

Question 3 - Key issues and challenges:

Do you agree with the key issues and challenges that we have identified? If not, what other issues do you think need to be considered further and addressed by the Local Plan Review.

- 3.1 In terms of comments on the key issues and challenges set out we would highlight that one of the main challenges when faced with such significant pressure for development will be to retain and enhance the rural character of Swale. That is both an identified threat to the Borough and also one of the key challenges faced when planning for such significant growth.
- 3.2 In addition, we would like to point out that a number of corrections are required to the SWOT analysis itself. In reference to the strengths of the Borough and its connections it is noted that Eurostar no longer stops within Kent and as a consequence direct links to Europe have reduced and as such the loss of such wider links from the Borough could be considered a weakness rather than a strength.
- 3.3 We would also like to point out a number of additional weaknesses of the Borough which are of particular concern. These include the inadequacy of NHS provision and a lack of overall strategy for improving and sustaining existing services in Sittingbourne. In particular we are extremely frustrated that as the largest town in the Borough there is no emergency doctors facility in the town or urgent care centre or diagnostic centre, or late opening pharmacy. We have to travel to Medway for hospital service, one of the worst performing hospitals in Kent and the South East. It simply beggars belief that the CCG and NHS England have failed to provide decent facilities/services for Sittingbourne. We have one of the worst GP to patient ratios in the country. Proactive healthcare is simply a dream. It is simply not possible given the crisis in recruiting GP's and other medical professionals as the provision is so poor. It is therefore no surprise to learn that Swale has one of the worst cancer rates in Kent and highest male suicide rates in Kent. Simply put we demand that the existing population is provided with better healthcare services, located in Sittingbourne. To rub salt in the wound we also face a secondary school provision crisis. Both healthcare and education provision must be fixed.
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4. Vision and Objectives

Question 4 - The Vision for Swale:

Do you agree this is the right Vision for the borough? If not, please explain what changes you would like to see made to the Vision and why.

- 4.1 We support the vision in general, especially the positive vision for the rural communities of the Borough.
 - 4.2 We would suggest that the final paragraph is amended to including reference to not only the maintenance of the quality of the local countryside environments but also to their protection and enhancement – a suggested revision is set out below:
 - 4.3 At our rural and maritime communities, enable development to maintain and improve local services to cater for the local daily needs of its residents and to support vibrant and healthy communities whilst protecting, maintaining and enhancing the quality of the local countryside environments in which they are set and protecting their heritage.
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Question 5 - Objectives:

Do the draft Objectives support the Vision and set appropriate goals for the Local Plan? Please give your reasons, identifying the objectives that you support or objectives that you oppose explaining any changes you would like to see and why.

- 4.4 Generally, the objectives are supported. However, whilst it is acknowledged the Boroughs rural economy is mentioned, it is considered necessary to acknowledge within the objectives the important role that the agricultural economy plays within the area.
- 4.5 To this end we consider that the importance of supporting and maintaining a viable agricultural economy should be one of the objectives of the plan.
- 4.6 The Councils Employment Land Review acknowledges that Swale is well known for its agricultural economy and that the Boroughs agricultural economy is at risk and vulnerable and as such the objectives of the plan should support this key and important land use and economy.

4.7 It is also considered necessary to clarify that the larger sites mentioned in objective 7 relate to those sites in or on the edge of the urban areas of the Borough and not larger developments within the villages or rural areas.

5. What has influenced the development of the Local Plan

Question 6 - Housing requirement and supply:

Do you think that the council should attempt to justify not complying with the Government's Standard Method for calculating the borough's housing need figure (due to the constraints of the Swale, such as the natural environment, flood risk, infrastructure), which means that the council would not fully meet the housing target? Please explain why and say what you believe the "exceptional circumstances" would be for Swale not to meet the figure.

- 5.1 We consider that the Council should certainly seek to not comply with the imposed targets under the Government's Standard Method.
- 5.2 It is important to consider what would constitute exceptional circumstances for the purposes of justifying not fully meeting the required housing numbers. The concept of exceptional circumstances does not require at least more than one individual "exceptional circumstance" to be demonstrated. Exceptional circumstances can be found in the accumulation or combination of circumstances, of varying natures, which would entitle the Council (and subsequent Planning Inspector), in the rational exercise of a planning judgment, to say that a combination of circumstances are sufficiently exceptional to warrant a sound justification for not fully meeting the housing numbers set out in the Government's Standard Method.
- 5.3 Within Swale there are significant and wide-ranging constraints including those set out within Question 6 itself that in our opinion would constitute as a combination the exceptional circumstances required to meet this test.
- 5.4 As a starting point the factors identified within the Issues and Preferred Options documents itself and as clearly identified in Picture 5.1.1 of the document shows that the 'high level' constraints account for round 60% within the Borough (this includes the Kent Downs AONB and areas at most risk of flooding). In addition to this the specific local constraints not included as 'high level' constraints including but not limited to local and County landscape designations such as the Rodmersham, Milstead and Highsted Dry Valley landscape, Areas of High Landscape Value, Important Countryside Gaps and Rural Lanes, and important heritage assets which need to be protected all of which contribute to the Borough being highly constrained to a sufficient degree to warrant as

a combination contributing to being a sufficient combination of circumstances that are considered to be exceptional.

- 5.5 The wider impacts of development in the Borough over the last 30/40 years has resulted in significant additional pressures on the areas infrastructure both in terms of social infrastructure (services, medical facilities and schools) and also transport infrastructure which is evident in the numerous long physical overdue improvements to the M2, A249 and A2 and the fact that it has been necessary for areas of the Borough to be declared as Air Quality Management Areas which cannot accommodate the scale of growth required by the imposed targets under the Government's Standard Method.
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Question 7 - Housing requirement and supply:

Do you believe that if we do not fully meet our target, we should consider asking our neighbours to provide for our unmet development needs? If so, what reasons would the Council give, who would we ask and why would they be well placed to help? Likewise, if asked by a neighbouring council to consider meeting their unmet development needs, what should be our response and why?

- 5.6 Firstly, given our response to Question 6 it is not considered appropriate for the Council to consider any requests by neighbouring Councils to meet their unmet need given it is our opinion that there is insufficient capacity with the Borough for its own needs to be met in a sustainable way.
- 5.7 In terms of exporting housing need whilst we consider that the wider housing problems should be resolved nationally we consider that Canterbury would be best placed to assist the Council in delivering its identified needs. The justification for this relates to a number of factors most notably the increased capacity of the area for development as a result of the planned improvements to the M2/A2 junction which will increase capacity within Swale but actually result in a greater capacity for development with Canterbury. In addition, the services and facilities including hospitals and schools would be better placed to support additional growth given the currently stretched responses in Swale.
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Question 8 - Housing requirement and supply:

Do you agree that the allocations listed in Appendix 2 should be rolled forward into the reviewed Local Plan? If not, please explain why you think this, supporting your response with reference to any evidence.

- 5.8 We are content with the allocations within Appendix 2 being 'rolled forward' to be included within the new Local Plan providing they meet the relevant criteria of the NPPF. In our opinion it would be inappropriate to remove this element of housing supply given they have previously been considered suitable under examination within previous iterations of the Local Plans unless there is serious concern that they will result in demonstrable negative impacts on impact on infrastructure or the environment.
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Question 9 - Housing requirement and supply - Windfalls:

Do you agree with the proposed windfall allowance rate of 250 dwellings per annum? If not, what evidence do you have to support a different windfall allowance rate.

- 5.9 Yes, based on the known dwelling completions between 2014 and 2020 the windfall rate of 250 is considered to be robust and realistic.
- 5.10 The combined figures for this 7 year period gives a total of 1930 windfall dwellings completed, which averaged out results in 275 dwellings per annum. In the interests of ensuring that the rate of delivery from this source is robust it is considered appropriate to apply a 10% discount from this average and as such a windfall rate of 250 dwellings per annum is considered appropriate. This is based on the fact that windfall sites normally relate to previously-developed sites within existing built up area boundaries.
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Question 10 - Housing requirement and supply - Settlement Hierarchy:

Do you agree that the strategy for allocating future development needs in the borough should include small scale development at thriving villages? If not, please explain why you think this?

- 5.11 In general, we support appropriate distribution of new homes throughout the Borough, which includes appropriate small-scale development in the villages.

- 5.12 Currently as there is no explicit definition of what constitutes a 'thriving village' it is difficult to appropriately respond to this question. Such a definition is considered necessary in order to clarify where growth will take place.
- 5.13 The qualification contained at para 5.1.24 that '*Growth at rural settlements would need to be subject to certain criteria taking into consideration the need to balance development impacts with the need to support and sustain these rural villages. Criteria could include reference to scale, environmental impacts and landscaping.*' is generally supported but consideration of growth should also include explicit reference to impacts on heritage assets and valued landscapes.
- 5.14 It is also important to ensure that any new development within a rural settlement is proportionate to its size and to some extent its position within the settlement hierarchy. That is to ensure that growth at each settlement is appropriately considered rather than for example allocating a quantum of growth to each village or settlement based solely upon its position within the settlement hierarchy.
- 5.15 There is concern that the settlement hierarchy is somewhat skewed, and should not be the sole basis for allocating a specific quantum of growth to settlement given the wide variety of settlements included within the lower tier settlements.
- 5.16 An example of how the hierarchy varies includes circumstances where smaller rural villages have managed to sustain a number of key services through community initiatives which as a consequence provides a reasonable score in terms of the available services but the size of the settlement could and should not support more than an appropriate proportion of growth. The Council is invited to explore what appropriate and proportionate growth for each rural village would be based on the size of the settlement and its position in the hierarchy. This could potentially be based on a maximum percentage figure of 10% over the full term of the Local Plan, subject to due consideration of local needs and the development itself
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Question 11 - Option 1 Business as usual:

Do you agree that the broad locations shown in the document will help to deliver this development option? If not, why not?

- 5.17 Whilst this option is not supported (our preferred option aligning with the Councils preferred option) in general the broad locations shown would appear to support this option.

Question 12 - Option 1 Business as usual:

Do you agree with the potential advantages and disadvantages listed in the document for this development option? Can you think of any others that you would add?

- 5.18 In general terms we agree with the advantages and disadvantages outlined.
- 5.19 We would like to highlight the fact that one of the advantages of this option should be combined with the preferred option. This is the fact that the improvements currently undergoing at the M2 and A249 would open up Sittingbourne and the Isle of Sheppey to development. This also highlights that further development in the Borough should be concentrated on the north and western side of Sittingbourne.
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Question 13 - Option 2 More even distribution of the additional development requirements across the borough's main urban centres and rural areas:

Do you agree that the broad locations shown in the document will help to deliver this development option? If not, why not?

- 5.20 Whilst this option is not supported (our preferred option aligning with the Councils preferred option) in general the broad locations shown would appear to support this option.
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Question 14 - Option 2 More even distribution of the additional development requirements across the borough's main urban centres and rural areas:

Do you agree with the potential advantages and disadvantages listed in the document for this development option? Can you think of any others that you would add?

- 5.21 Generally, yes, although we consider that in addition to the rather general comments about the erosion of unspoilt countryside the disadvantages should include harm to heritage assets and their setting, and valued landscapes.
- 5.22 In addition, the impact of spreading the majority of development across the identified sustainable settlements would be likely to impact on their individual character and large development in some villages which are identified as Tier 5 settlements including Bredgar and Rodmersham Green would be wholly inappropriate.

Question 15 - Option 3 More even distribution of the final requirements across the main urban centres (when combined with allocations in the current local plan, Bearing Fruit):

Do you agree that the broad locations shown in the document will help to deliver this development option? If not, why not?

5.23 As our preferred option for growth within the Borough we support the general distribution for development.

Question 16 - Option 3 More even distribution of the final requirements across the main urban centres (when combined with allocations in the current local plan, Bearing Fruit):

Do you agree with the potential advantages and disadvantages listed in the document for this development option? Can you think of any others that you would add?

5.24 Yes, we agree with the advantages set out. However, we consider that another advantage of this option would be the protection of open countryside and the individual character of historic and important rural settlements in the Borough.

5.25 This is alongside including new development to the north and western side of Sittingbourne which is considered appropriate given the evidence and the currently underway improvements to the M2 and A249.

Question 17 - Option 4 More of the overall development requirements at the eastern end of the borough:

Do you agree that the broad locations shown in the document will help to deliver this development option? If not, why not?

5.26 Whilst this option is not supported (our preferred option aligning with the Council's preferred option) in general the broad locations shown would appear to support this option.

Question 18 - Option 4 More of the overall development requirements at the eastern end of the borough:

Do you agree with the potential advantages and disadvantages listed in the document for this development option? Can you think of any others that you would add?

- 5.27 An additional advantage would be that concentrating development to the east of the Borough would facilitate improvements to junction 7 of the M2 which would have wider benefits for development in neighbouring Canterbury.
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Question 19 - Option 5 Focus our development requirements on Strategic Development Sites and/or urban extensions primarily located within existing rural areas:

Do you agree that the broad locations shown in the document will help to deliver this development option? If not, why not?

- 5.28 This option is considered to be the most harmful to the Borough. However, the broad locations would appear to align with the sites identified.
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Question 20 - Option 5 Focus our development requirements on Strategic Development Sites and/or urban extensions primarily located within existing rural areas:

Do you agree with the potential advantages and disadvantages listed in the document for this development option? Can you think of any others that you would add?

- 5.29 We would draw your attention to the comments made above in answer to question 2 insofar as the advantages and disadvantages of this option are based on a general score across each of the 4 preliminary Strategic Development Sites.
- 5.30 It is our opinion that the disadvantages of this option are more severe for the Highsted Park (South East Sittingbourne) Strategic Development Site than the general disadvantages outlined here.
- 5.31 Put simply the promotion of a development option which seeks to allocate 56% of the housing needs to rural areas can not align with the vision for the area. Protecting,

maintaining and enhancing the quality of the local countryside environments and protecting their heritage.

Question 21 - Option 5 Focus our development requirements on Strategic Development Sites and/or urban extensions primarily located within existing rural areas:

Do you agree that the broad locations shown in the document will help to deliver this development option? If not, why not?

5.32 This question appears to be a repeat of question 19.

Question 22 - SHLAA and promoted sites through the Reg 19:

Do you think that we have considered all of the suitable alternative development options? If no, please explain and set out the details of an alternative option that you feel we have missed. (If you have a single site to submit please do so under the next question).

5.33 In acknowledging the need to support the regeneration of both Sittingbourne and Faversham town centres we feel that additional work, studies and investigations should be undertaken to explore the future role of these centres for housing. These studies should consider how an increase in the density of development (including increasing the scale (height) of new buildings and potential regeneration areas could not only facilitate the delivery of new homes in the Boroughs most sustainable locations but also support the regeneration of the town centres though increasing footfall and both the day and night time economies.

Question 23 - SHLAA and promoted sites through the Reg 19:

Do you have a site that would be suitable for housing development that is not shown on the map? Please include a plan.

5.34 Our answer to question 22 relates to the whole of both of the Sittingbourne and Faversham urban areas rather than any specific sites.

Question 24 - Summary of the options and key considerations:

Do you think the Preferred Development Option (option 3) for meeting our housing target is the most suitable and meets our vision, objectives and the principles of sustainable development? If not please identify how the preferred option could be changed or if you believe one of, or a mixture of the other options, are more suitable, please say why.

- 5.35 We support Option 3 as the Preferred Development Option in order to meet the housing needs of the Borough District. The proposal is considered to be supported by robust evidence having considered all of the available options.
- 5.36 Our only comments would be that opportunity to realise some of the wider benefits of Options 2 and 4.
- 5.37 The benefits that development to the north and west of Sittingbourne and Isle of Sheppey would present given the current ongoing improvements to the strategic road network in this location.
- 5.38 Also the benefits that concentrating development to the eastern end of the Borough that could also be realised with more development concentrated on Faversham in order to rebalance the distribution of growth through the Borough (considering the existing allocations concentrated development mostly within Sittingbourne).
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Question 25 - Summary of the options and key considerations:

Do you think that any of the areas identified for potential development should be progressed as 'Areas of Opportunity' to enable a more comprehensive approach to master planning for their development and infrastructure needs? If not, please say why.

- 5.39 We consider that Sittingbourne town centre should be identified as an 'Area of Opportunity' which would reflect its location as the Borough's most sustainable location and help to facilitate regeneration of the area through a town centre masterplan.
- 5.40 There are also areas to the north of the town centre where the density of employees is relatively low (e.g. large scale warehousing) that could be re-developed for housing allowing the relocation of existing businesses to sites that benefit from greater connectivity to the strategic road network (north and east of Sittingbourne), and also in areas that could benefit from future rail freight connections.

- 5.41 We are also aware of a number of sites that could benefit from re-development for housing where the existing businesses are located in inappropriate locations due to their impact (as a result of heavy goods vehicle movements) on the existing road network and/or in a rural area where their relocation would benefit from a better connected location.
- 5.42 An example of such a site is the Fowler Welch Ltd site on the A2 London Road in-between Bapchild and Teynham which could be included within the Teynham Area of Opportunity if this proposal is carried forward.
- 5.43 There may also be areas of opportunity for the residential development of current employment areas such as the area to the north west of Faversham. This area is in danger of having a detrimental impact on the new surrounding residential areas. The re-development of this site (and the businesses relocation to a suitably connected site) would also reduce pressure on local roads as a result of the current significant heavy good vehicle movements associated with the current uses.
- 5.44 The opportunity presented by the opening up of existing and underused railway network to freight could also present areas of opportunity for employment development and in turn help to reduce the impact of new or existing businesses on the existing road network.
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Question 26 - Climate change - What you've told us so far:

Do you agree with the view held by the developers as shown on page 46 of the document? What evidence do you have to support your answer?

- 5.45 In short, no. We do not agree that the targets designed to tackle climate change are too ambitious. If we are to learn anything from COP26 and the current climate crisis the Council should continue to commit to its aims for the Borough to be carbon neutral by 2030 having declared a Climate and Ecological Emergency in 2019.
- 5.46 The Council have correctly taken account of these needs within their Local Plan Viability Study (Aspinall Verdi December 2020) and the recommendations contained therein where they relate to additional infrastructure within dwellings to tackle climate change. If these recommendations are not carried though the Council are in danger of failing to meet their commitments following their declaration of a Climate and Ecological Emergency.

Question 27 - Climate change:

Do you think the council should accept this view or seek to be more ambitious and continue to aim to embed sustainable/active travel measures across new developments? What are the reasons for your answer?

- 5.47 As set out above in answer to question 26 this view should not be accepted. The Council have a duty to its existing and future residents to ensure that the climate change is reversed and has to be ambitious in order to tackle this most serious challenge head on.
- 5.48 Realistically the only way to help tackle this emergency is to ensure that the Local Plan contains explicit requirements for new development to incorporate sustainable measures and technologies that will help this ambition to be realised. Noting that these measures need to be robustly tested through the viability testing of the Local Plan.
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Question 28 - Place shaping/design - What you've told us so far:

Do you think the policies on design (as contained in the Pre-Submission Local Plan, February 2021) should be updated to reflect the changes in the NPPF? If answered yes, what changes do you think need to be made to the policies?

- 5.49 Yes. The policies in particular Policy DM2 should be amended to reflect the clear steer within the NPPF that *'Development that is not well designed should be refused'* (NPPF 132) and that the importance of good design should be at the forefront of developments which will ensure that decisions on applications within the Borough deliver good design and well-designed places.
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Question 29 - Place shaping/design: What you've told us so far:

Do you think the policies on trees (as contained in the Pre-Submission Local Plan, February 2021) should be updated to reflect the changes in the NPPF? If answered yes, what changes do you think need to be made to the policies?

- 5.50 Yes. The requirement that new streets are tree lined should be reflected in the policies. It is noted that Policy DM29 as drafted only requires that development proposals take all reasonable opportunities to provide for street trees. We consider that this should be a requirement from the outset and as the revised wording of the NPPF seeks to ensure that this is provided a revised wording is considered appropriate.

5.51 In addition is it considered appropriate that new planting is undertaken to reflect the character of an area and where possible contribute to creating new woodlands, hedgerows, orchards and shaws that reflect the historic landscape character of the area. This is particularly important when planning for new open spaces within developments ensuring that a variety of open spaces are provided.

Question 30 - Protecting and enhancing environment and heritage issues. What you've told us so far:

Do you agree that the council should be ambitious in its requirement for biodiversity net gain on new developments and that 20% is justified even though the emerging Environment Bill 10% is "a minimum"?

5.52 Yes, we consider the Council should be ambitious in setting its targets. Noting the Climate and Ecological Emergency declared by the Council in 2019.

5.53 We consider that a sound basis for the uplift in biodiversity net gain (BNG) from 10 to 20% has been demonstrated.

5.54 The 'Swale Biodiversity Baseline Report in Preparation for Requirements of the Environment Bill' prepared by Kent Wildlife Trust Consultancy Services provides the baseline from which a strategy for the improvement of biodiversity across the Borough should be developed. The Report identifies the most important areas for biodiversity in the Borough – areas which would benefit from proposals for BNG and recommends the establishment of a Local Nature Recovery Strategy (LNRS) in order to ensure that the most important areas of the Borough for biodiversity are recovered and protected.

5.55 The work undertaken by the Kent Nature Partnership including their Biodiversity Strategy 2020 – 2045 helps to also set the baseline, strategy and justification for setting a 20% biodiversity net gain.

5.56 It is also important to highlight that the costs associated with this uplift have been considered in support of the proposal though the 'Local Plan Local Plan Viability Study' prepared by Aspinall Verdi which demonstrates that the additional biodiversity net gain of 10% (total requirement of a 20% requirement) is affordable. In figures the increase in cost per dwelling over and above the soon to be mandated 10% BNG equates to an addition £142.20 per unit.

Question 31 - New homes/housing needs: What you've told us so far:

Do you agree that the Local Plan should be clearer on how the needs of older people will be met?

- 5.57 Yes. In addition to requiring housing to be delivered to adaptable standards (M4(2) and M4(3)) the needs of our ever-ageing population should be supported.
- 5.58 This should include specific requirements on larger sites to deliver homes for older people noting that such a policy could enable existing housing stock such as under used family homes to be reintroduced in to the market to support younger people sooner.
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Question 32 - New homes/housing needs: What you've told us so far:

Do you agree with the view that new dwellings should be built to the Nationally Described Space Standards? What evidence do you have to support your answer?

- 5.59 Yes, we consider it necessary and appropriate to ensure that new dwellings are constructed to appropriate sizes ensuring future homes meet identified needs and homes deliver the needs identified within the Housing Market Assessment for Swale.
- 5.60 The research undertaken in support of the Local Plan Local Plan Viability Study' prepared by Aspinall Verdi (Table 5-3) identifies that the minimum size of houses (sqm) delivered in Swale currently falls below the size of units required by the Nationally Described Space Standards (NDSS).
- 5.61 It is important that if Swale are going to meet their housing needs new dwellings need to be provided to ensure that maximum occupancy is achievable in a comfortable manner and adopting the NDSS will help towards this and ensure than new homes in the Borough are provided to an appropriate standard.
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Question 33 - New homes/housing needs. What you've told us so far:

Do you agree that the current Local Plan approach is the most appropriate or should we have a specific policy for self build homes? If we were to have a specific policy, should we allocate sites and/or require a percentage of self build plots for people wanting to build their own homes? If you think we should allocate sites, can you suggest any sites suitable for self build we should consider allocating? If submitting a site, please provide a location plan and brief details about the site.

- 5.62 We consider that the most appropriate approach to ensure that the need for self build homes is catered for within the Borough would be to require a proportion (assumed to be a small proportion but no data is available as to the size of the current register) of larger allocated sites to be provide plots to meet the needs of those who desire to self build.
- 5.63 As need within the Borough is unknown the proportion required on any given site is also therefore unknown and as such it is not possible to ascertain what scale of development is required. However, it is considered appropriate that only larger sites of 50+ dwellings should be required to accommodate this need.
- 5.64 If sites (or proportions of sites) are allocated for self build homes it is considered necessary that the design and siting of any such buildings should be appropriately managed to ensure that they reflect the characteristics and local distinctiveness of the area.
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Question 34 - New homes/housing needs. What you've told us so far:

Do you agree with the view that a lower site threshold should apply to sites within the Kent Downs Area of Outstanding Natural Beauty? What evidence do you have to support your answer?

- 5.65 We agree with this proposal. In our experience development in the Kent Downs Area of Outstanding Natural Beauty (AONB) is typically characterised by smaller developments and this proposed change in the threshold for on-site affordable housing delivery will have the effect of increasing the delivery of affordable homes in areas where they are most needed in order to support rural communities.
- 5.66 Given that most development sites in the AONB are less than 10 dwellings without a reduction in the threshold this could mean that no affordable housing would be delivered in these communities. By reducing the threshold for affordable housing delivery local communities will benefit from much needed affordable housing. Not to do so would affect the public's confidence in the ability of the planning system to address local needs. It is also considered necessary for detailed housing needs surveys to be undertaken in the rural parishes of the Borough in order to better understand the critical needs of these areas.

Question 35 – Provision for Gypsies, Travellers and Travelling Showpeople:

Do you think that the Local Plan should continue to use a criterion-based policy only to deal with the accommodation needs of Gypsies, Travellers and Travelling Showpeople? If not, do you agree with the view that the council should re-consider allocating sites to meet this need? Please say why. If you answered yes, do you think this should be done via individual site allocations, or by requiring provision to be made within larger mixed use/residential allocations?

5.67 We consider that the current approach is appropriate and ensures that each application is determined on its own individual merits.

Question 36 - Provision for Gypsies, Travellers and Travelling Showpeople:

Do you have a site that you think would be suitable for Gypsy, Traveller and Travelling Showpeople accommodation? If so, please state where it is (and include a site location plan if possible) and how many pitches/plots it could provide.

5.68 No.

Question 37 - Economy and town centres:

Do you agree that the Local Plan should not allocate specific locations for the creative industries but instead draft the development management policies to provide flexibility to allow these businesses to set up, establish and grow?

5.69 We agree with this approach. Creative industries in themselves depend on flexibility, adaptability and the need for decisions to be responsive to often immediate needs.

5.70 To allocate specific sites would have the unfortunate consequence of stifling innovation and creativity rather than enhancing and embracing these industries.

Question 38 - Economy and town centres:

Do you agree with our assessment of what we need to provide to ensure that the economy is sustained in Swale and that we can provide the right environment to attract new businesses to Swale and new employees? How else can Swale ensure that its current positive economic forecasts and ambitions come to fruition and are sustained?

- 5.71 It is important that new economic development is supported by the necessary infrastructure and is flexible to market needs.
- 5.72 Flexibility also needs to be given to the needs of those that choose to work from home – allowing business to flourish in a continually evolving market. This includes ensuring that fibre broadband is delivered to all properties in the Borough including those hard to reach rural areas in order to promote inclusion.
- 5.73 Consideration needs to be given to the intensity of employment development within the Boroughs existing employment sites, which would likely identify the need to masterplan these employment sites ensure the land is used efficiently.
- 5.74 As a specific example of where the expansion of existing sites may be inappropriate is Kent Science Park. The site is somewhat removed from the strategic highway network, which reduces its attractiveness and indicates that it would be inappropriate to support significant expansion of the site. More appropriate and better located sites i.e., to the north and east of Sittingbourne should be explored.
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Question 39 - Economy and town centres:

Where should we be locating the next generation of employment sites? For example, as extensions to existing sites? Close to the strategic road network? Adjacent to existing and/or new housing sites?

- 5.75 We consider that new employment sites should be concentrated at or within easy reach of the existing strategic road network, near railway stations or in the town centres. These locations being close to existing (and currently under improvement) junctions on the M2 and A249.
- 5.76 It is also considered appropriate that the Council should support the development of new and improved sites that could be supported by rail. It is considered that the use of rail

freight is an underused and inherently more sustainable method of transporting goods and as such should be a priority.

- 5.77 Opportunities should be taken to promote high density employment development in sustainable locations in particular areas which would support existing areas such as Sittingbourne town centre. This is appreciating that larger scale distribution type development would be inappropriate in such locations.
- 5.78 Extensions to existing sites where they are located in suitable locations (well served by the strategic road network) are considered appropriate but it is also considered to be important that the best use of land is undertaken on existing sites and proposals for the master planning of these existing sites is considered the most effective way of ensuring that the employment potential of the Boroughs existing sites is maximised.
- 5.79 The extension of existing employment areas that are currently in inappropriate locations areas such as Kent Science Park (due to the existing unsuitable road network access and sustainable transport links) should not be expanded but strategies for their relocation to more appropriate sites should be progressed through the plan.
- 5.80 Working from home and the impact of the Covid-19 pandemic must be considered as part of supporting the economic prosperity of the Borough. Facilities and opportunities should be provided for changes to working practices, including ensuring that sufficient space is provided within new homes to allow for the flexible use of spaces. Working from home also provides opportunities for local town centres with less commuting to larger nearby centres and London. Preference should be given to the creation of higher job density/uses and re-use of existing spaces especially when needing to address the address the Climate Emergency.

Question 40 - Economy and town centres:

Do you have an alternative site that hasn't been considered before that could be suitable for employment use? If so, please provide a site location plan and some key details about the site such as how much and what type of employment it could provide.

- 5.81 No

Question 41 - Retail and town centres:

Should there be a more flexible development management approach to building uses at ground and second floor and above in our town centres, to encourage occupation by a range of business types?

- 5.82 Yes, flexibility needs to be 'in-built' in to planning decisions within area of change such as the town centre. This is reflected in the changes and flexibility introduced within the GPDO (Generally Permitted Development Order) to allow the market to be responsive to new and short term needs.
- 5.83 That said however, it is considered that the core retail areas of the Boroughs town centres should be protected for retail and leisure uses in order to protect the function of the town centre.
- 5.84 Within all areas of town centres the reuse of upper floors should be actively encouraged for a wide variety of uses including residential in order to support the vitality and viability of the town centres. This in turn may provide new customers and turn over for existing and other co-located new business.
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Question 42 - Retail and town centres:

How can we adapt and improve town centre environments to make them more attractive places to dwell and spend time and to encourage greater investment and activity?

- 5.85 The regeneration of the Boroughs town centres is key to ensuring their longevity and survival in current challenging times. Improvements to the town centre environment is key to successfully achieving this.
- 5.86 The importance of hard and soft landscaping is key to making the town centre attractive for visitors. The improvements required can take many forms but attractive multi-use spaces that can be used for stopping, sitting, markets, performances and other events that would in themselves attract people to the area.
- 5.87 Landscaping and tree planting are also useful and worthwhile tools in improving the environment of the town centres – bringing nature and biodiversity in to the urban area.
- 5.88 The enhancement and promotion of uses which support the night time economy are also key to ensuring the sustainability of the town centre. This could be achieved in a number of ways including the promotion of restaurants, entertainment and leisure uses within

the area, and consideration of developing a wider range and higher density of homes in the town centre itself.

- 5.89 The Council should work with landlords in order to enhance the independent retail offer of the town centres acknowledging the value that independent retailers add to town centres in providing a locally distinctive shopping offer.
- 5.90 Whilst the arguments against the provision of additional car parking within the town centres is known it is felt that parking in the area should represent better value for money. Noting that residents of the rural communities of the Borough are unable to rely on bus or train services to access the services in the town centre.
-

How we will use your personal information

The personal information you provide on this form will be processed in accordance with UK General Data Protection Regulations 2018. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004 (as amended), and may be used by the Council to contact you if necessary, regarding your submission. Your name, name of organisation, comments and town of residence* will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and ***we will not publish any personal data beyond what is stated in this declaration.**

Your details will be kept until the Local Plan is adopted plus a further five years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. When other agencies are involved in the preparation of the Local Plan, we may need to share your details to enable us to work together. Information will only be shared with third parties if they have genuine and lawful need for it. Information shared on this basis will not be reused for any other purpose. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

Please sign and date this form. Forms signed electronically will be accepted.

Declaration:

By completing and signing this form, I agree to my name, organisation, town of residence and representations being made available for public inspection on the internet.

Signature:

Date:

Swale Borough Council would like to contact you for your comments and views in relation to consultations carried out by the Spatial Planning Team regarding the Swale Borough Council Local plan and other planning documents.

Please note, if you do not wish to be added to our database we will not be able to contact you about the next Local Plan consultation stage.

If you would like to be added to our database for future contact please tick the box and complete the form below.

Yes, I do wish to be added to your database

Swale Borough Council (SBC) is committed to protecting the privacy and security of your personal information. As data controller we ensure that processing is carried out in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulations (GDPR).

Any personal information provided within this form will be held securely and not shared with anyone outside of the Spatial Planning Team unless otherwise stated or the council is obliged to do so for legal purposes.

The legal basis which enables the Council to process your data for this purpose is consent from the data subject (you) under Article 6, paragraph (a) of the GDPR. Information provided will be stored in accordance with the Council's retention and disposal guidelines.

Name:				
Address:				
Post Code				
Email Address				
Preferred Method of Contact	Post:		Email:	

Declaration:

I hereby confirm and give my explicit consent for the following:

- For SBC to hold my personal data for the purpose of contacting me in connection with future consultations carried out by the Spatial Planning Team
- I understand that whilst my personal contact information will not be published, I agree that any comments I supply in response to contact may be published alongside my name and the town I reside in*
- I confirm that I am over 18

Signature:	
Date:	

As a data subject you have the right to access your personal data and to ensure the Council is processing it in the correct way. For further information please visit the privacy pages on the Council's website at www.swale.gov.uk or contact the data protection officer by emailing dataprotectionofficer@swale.gov.uk or call 01795 417114.

Please send completed form to: **Planning Policy Manager, Swale Borough Council, Swale House, East Street, Sittingbourne, ME10 3HT** or email: Lpcomments@swale.gov.uk